

EEOC FORM 131 (11/09)

## U.S. Equal Employment Opportunity Commission

NEW YORK CITY ADMINISTRATION FOR CHILDREN'S SERVICES  
150 Williams Street, 6th Floor  
New York, NY 10038

## PERSON FILING CHARGE

Delano E. Connolly

THIS PERSON (check one or both)



Claims To Be Aggrieved



Is Filing on Behalf of Other(s)

## EEOC CHARGE NO.

532-2014-01527

## NOTICE OF CHARGE OF DISCRIMINATION

(See the enclosed for additional information)

This is notice that a charge of employment discrimination has been filed against your organization under:

Title VII of the Civil Rights Act (Title VII)  The Equal Pay Act (EPA)  The Americans with Disabilities Act (ADA)

The Age Discrimination in Employment Act (ADEA)  The Genetic Information Nondiscrimination Act (GINA)

The boxes checked below apply to our handling of this charge:

1.  No action is required by you at this time.
2.  Please call the EEOC Representative listed below concerning the further handling of this charge.
3.  Please provide by **14-MAY-15** a statement of your position on the issues covered by this charge, with copies of any supporting documentation to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation.
4.  Please respond fully by to the enclosed request for information and send your response to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation.
5.  EEOC has a Mediation program that gives parties an opportunity to resolve the issues of a charge without extensive investigation or expenditure of resources. If you would like to participate, please say so on the enclosed form and respond by **28-APR-15**  
to **Deanna R. Jackson, ADR Staff Mediator, at (216) 522-7415**  
If you DO NOT wish to try Mediation, you must respond to any request(s) made above by the date(s) specified there.

For further inquiry on this matter, please use the charge number shown above. Your position statement, your response to our request for information, or any inquiry you may have should be directed to:

Leona J. Smith,  
Acting Intake Supervisor

EEOC Representative

Telephone **(216) 522-7515**

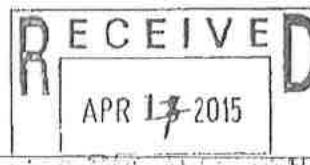
Cleveland Field Office  
EEOC, AJC Fed Bldg  
1240 E 9th St, Ste 3001  
Cleveland, OH 44199  
Fax: (216) 522-7395

Enclosure(s):  Copy of Charge

## CIRCUMSTANCES OF ALLEGED DISCRIMINATION

Race  Color  Sex  Religion  National Origin  Age  Disability  Retaliation  Genetic Information  Other

See enclosed copy of charge of discrimination.



Date	Name / Title of Authorized Official	Signature
April 14, 2015	Connie Davis, Acting Enforcement Manager	<i>Connie Davis</i>



EEOC Form 5 (11/09)

<b>CHARGE OF DISCRIMINATION</b>		Charge Presented To:	Agency(ies) Charge No(s):
This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		<input type="checkbox"/> FEPA	
		<input checked="" type="checkbox"/> EEOC	532-2014-01527
and EEOC			
<i>State or local Agency, if any</i>			
<p>subject me to separate terms and conditions, subject me to demotion, discriminate against me and suspend me, in violation of Title VII of the Civil Rights Act of 1964, as amended (Title VII). I believe that I was and continue to be subjected to separate terms/conditions and discriminated against in retaliation for engaging in protected activity due to my age, 47, in violation of the Age Discrimination in Employment Act of 1967, (ADEA), as amended.</p> <p>I believe my employer discriminated against me in violation of the Americans with Disabilities Act (ADA), as amended, when it demoted and suspended me because of disability. Further, I believe my employer retaliated against, in violation of the Americans with Disabilities Act (ADA), as amended, when I utilized Family Medical Leave Act (FMLA) approved leave and during the time I was on an approved medical leave/reasonable accommodation status pursuant to the Americans with Disabilities Act. Further, I believe my employer discriminated against me in violation of Title I of the Americans with Disabilities Act (ADA), as amended, due to disability and/or need for accommodation.</p>			

<p>I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.</p> <p>I declare under penalty of perjury that the above is true and correct.</p> <p>9/16/14 </p> <p>Date Charging Party Signature</p>		<p>NOTARY - When necessary for State and Local Agency Requirements</p> <p>I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.</p> <p>SIGNATURE OF NOTARY PUBLIC </p> <p>Subscribed and sworn to before me this date (month, day, year)</p>
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**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
Cleveland Mediation Program**

A.J. Celebreze Federal Office Building  
1240 East 9<sup>th</sup> Street, Suite 3001  
Cleveland, Ohio 44199  
ADR Hotline (216) 522-7415  
TTY (216) 522-8441  
ADR FAX (216) 522-7389  
Website: <http://www.eeoc.gov/mediate/index.html>

**Mediation Choice Form**

Charge No. & Case Name:

532-2014-61527 Connally v. NYC Admin. for Children Services

Please indicate your willingness to participate in the EEOC's Mediation Program. We offer this neutral, confidential, and popular alternative to both charging parties and respondents as an alternative to investigation (and possible litigation) of employment disputes. For more information, see our website at [www.eeoc.gov/mediate/index.html](http://www.eeoc.gov/mediate/index.html).

**You are required to notify EEOC of your response to mediation, by returning this form by the mediation date on the Notice of Charge to:**

Deanna R. Jackson, ADR Mediator  
U.S. Equal Employment Opportunity Commission  
1240 East 9<sup>th</sup> Street, Suite 3001  
Cleveland, OH 44199  
Phone: (216) 522-7415 Fax: (216) 522-7389  
[deanna.jackson@eeoc.gov](mailto:deanna.jackson@eeoc.gov)

Check here to indicate your willingness to mediate. Upon receipt of this form, you will be contacted and advised as to whether the charge is eligible for mediation. If the charge is eligible for mediation, the response to the attached request for information is put on hold, pending the outcome of the mediation.

Propose 3 possible mediation dates during the next 6-8 weeks: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

Name and title of attendee(s): \_\_\_\_\_

\*Contact Person Name: \_\_\_\_\_ Title: \_\_\_\_\_

\*Company Name: \_\_\_\_\_

\*Street Address: \_\_\_\_\_

\*City, State & Zip: \_\_\_\_\_

\*Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

\*E-mail: \_\_\_\_\_

Check here to decline mediation. Please note the due date for submission of information as stated on the Notice of Charge. If you decline mediation and an extension of time is needed for the Position Statement and/or Request for Information, please fax your request to 216/522-7395. The Commission will contact you if your request is denied.

## U.S. Equal Employment Opportunity Commission

EEOC FORM 131 (11/09)

NEW YORK CITY ADMINISTRATION FOR CHILDREN'S  
SERVICES  
150 Williams Street, 6th Floor  
New York, NY 10038

## PERSON FILING CHARGE

Delano E. Connolly

THIS PERSON (check one or both)



Claims To Be Aggrieved



Is Filing on Behalf of Other(s)

## EEOC CHARGE NO.

532-2014-01527

## NOTICE OF CHARGE OF DISCRIMINATION

(See the enclosed for additional information)

This is notice that a charge of employment discrimination has been filed against your organization under:

Title VII of the Civil Rights Act (Title VII)  The Equal Pay Act (EPA)  The Americans with Disabilities Act (ADA)

The Age Discrimination in Employment Act (ADEA)  The Genetic Information Nondiscrimination Act (GINA)

The boxes checked below apply to our handling of this charge:

- 1  No action is required by you at this time.
- 2  Please call the EEOC Representative listed below concerning the further handling of this charge.
- 3  Please provide by a statement of your position on the issues covered by this charge, with copies of any supporting documentation to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation.
- 4  Please respond fully by to the enclosed request for information and send your response to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation.
- 5  EEOC has a Mediation program that gives parties an opportunity to resolve the issues of a charge without extensive investigation or expenditure of resources. If you would like to participate, please say so on the enclosed form and respond by to  
If you DO NOT wish to try Mediation, you must respond to any request(s) made above by the date(s) specified there.

For further inquiry on this matter, please use the charge number shown above. Your position statement, your response to our request for information, or any inquiry you may have should be directed to:

Connie Davis,  
Supervisory Investigator

EEOC Representative

Telephone (216) 522-7652

Cleveland Field Office  
EEOC, AJC Fed Bldg  
1240 E 9th St, Ste 3001  
Cleveland, OH 44199  
Fax: (216) 522-7395

Enclosure(s):  Copy of Charge

## CIRCUMSTANCES OF ALLEGED DISCRIMINATION

Race  Color  Sex  Religion  National Origin  Age  Disability  Retaliation  Genetic Information  Other

ISSUES: Assignment, Demotion, Discipline, Filing EEO Forms, Harassment, Classification, Terms/Conditions

DATE(S) (on or about): EARLIEST: 07-05-2012 LATEST: 05-14-2014 And Continuing

Date	Name / Title of Authorized Official	Signature
May 22, 2014	Jerry Davidson, Federal Investigator	

## U.S. EQUAL OPPORTUNITY COMMISSION

## NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Delano Connolly  
304 Bay 14th Street  
Brooklyn, NY 11214From: Cleveland Field Office  
EEOC, AJC Fed Bldg  
1240 E 9th St, Ste 3001  
Cleveland, OH 44199On behalf of person(s) aggrieved whose identity is  
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

520-2012-02571

EEOC Representative

Luisa Burgos,  
Investigator

Telephone No.

(216) 522-7400

(See also the additional information enclosed with this form.)

## NOTICE TO THE PERSON AGGRIEVED:

**Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), or the Genetic Information Nondiscrimination Act (GINA):** This is your Notice of Right to Sue, issued under Title VII, the ADA or GINA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII, the ADA or GINA must be filed in a federal or state court WITHIN 90 DAYS of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

More than 180 days have passed since the filing of this charge.

Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of this charge.

The EEOC is terminating its processing of this charge.

The EEOC will continue to process this charge.

**Age Discrimination in Employment Act (ADEA):** You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, the paragraph marked below applies to your case:

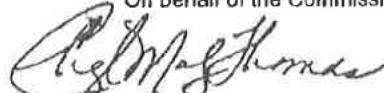
The EEOC is closing your case. Therefore, your lawsuit under the ADEA must be filed in federal or state court WITHIN 90 DAYS of your receipt of this Notice. Otherwise, your right to sue based on the above-numbered charge will be lost.

The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of the charge, you may file suit in federal or state court under the ADEA at this time.

**Equal Pay Act (EPA):** You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission



OCT 28 2015

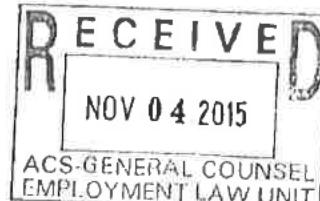
(Date Mailed)

Enclosures(s)

Cheryl Mabry-Thomas, Director  
Cleveland Field Office

CC:

Timothy Pookiack, Esq.  
, Employment Law Unit  
NYC ADMINISTRATION FOR CHILDREN'S SERVICES  
150 Williams Street, 6th Floor  
New York, NY 10038



## INFORMATION RELATED TO FILING SUIT UNDER THE LAWS ENFORCED BY THE EEOC

*(This information relates to filing suit in Federal or State court under Federal law. If you also plan to sue claiming violations of State law, please be aware that time limits and other provisions of State law may be shorter or more limited than those described below.)*

### PRIVATE SUIT RIGHTS -- Title VII of the Civil Rights Act, the Americans with Disabilities Act (ADA), the Genetic Information Nondiscrimination Act (GINA), or the Age Discrimination in Employment Act (ADEA):

In order to pursue this matter further, you must file a lawsuit against the respondent(s) named in the charge within 90 days of the date you receive this Notice. Therefore, you should keep a record of this date. Once this 90-day period is over, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and its envelope, and tell him or her the date you received it. Furthermore, in order to avoid any question that you did not act in a timely manner, it is prudent that your suit be filed within 90 days of the date this Notice was mailed to you (as indicated where the Notice is signed) or the date of the postmark, if later.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. (Usually, the appropriate State court is the general civil trial court.) Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. Filing this Notice is not enough. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Your suit may include any matter alleged in the charge or, to the extent permitted by court decisions, matters like or related to the matters alleged in the charge. Generally, suits are brought in the State where the alleged unlawful practice occurred, but in some cases can be brought where relevant employment records are kept, where the employment would have been, or where the respondent has its main office. If you have simple questions, you usually can get answers from the office of the clerk of the court where you are bringing suit, but do not expect that office to write your complaint or make legal strategy decisions for you.

### PRIVATE SUIT RIGHTS -- Equal Pay Act (EPA):

EPA suits must be filed in court within 2 years (3 years for willful violations) of the alleged EPA underpayment: back pay due for violations that occurred more than 2 years (3 years) before you file suit may not be collectible. For example, if you were underpaid under the EPA for work performed from 7/1/08 to 12/1/08, you should file suit before 7/1/10 – not 12/1/10 – in order to recover unpaid wages due for July 2008. This time limit for filing an EPA suit is separate from the 90-day filing period under Title VII, the ADA, GINA or the ADEA referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA or the ADEA, in addition to suing on the EPA claim, suit must be filed within 90 days of this Notice and within the 2- or 3-year EPA back pay recovery period.

### ATTORNEY REPRESENTATION -- Title VII, the ADA or GINA:

If you cannot afford or have been unable to obtain a lawyer to represent you, the U.S. District Court having jurisdiction in your case may, in limited circumstances, assist you in obtaining a lawyer. Requests for such assistance must be made to the U.S. District Court in the form and manner it requires (you should be prepared to explain in detail your efforts to retain an attorney). Requests should be made well before the end of the 90-day period mentioned above, because such requests do not relieve you of the requirement to bring suit within 90 days.

### ATTORNEY REFERRAL AND EEOC ASSISTANCE -- All Statutes:

You may contact the EEOC representative shown on your Notice if you need help in finding a lawyer or if you have any questions about your legal rights, including advice on which U.S. District Court can hear your case. If you need to inspect or obtain a copy of information in EEOC's file on the charge, please request it promptly in writing and provide your charge number (as shown on your Notice). While EEOC destroys charge files after a certain time, all charge files are kept for at least 6 months after our last action on the case. Therefore, if you file suit and want to review the charge file, please make your review request within 6 months of this Notice. (Before filing suit, any request should be made within the next 90 days.)

**IF YOU FILE SUIT, PLEASE SEND A COPY OF YOUR COURT COMPLAINT TO THIS OFFICE.**

EEOC Form 181 (11/09)

## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

## DISMISSAL AND NOTICE OF RIGHTS

To: Delano E. Connolly  
304 Bay 14th Street  
Brooklyn, NY 11214From: Cleveland Field Office  
EEOC, AJC Fed  
1240 E 9th St, Ste 300P  
Cleveland, OH 44199

NOV 09 2015

DOS GL COUNSEL  
EMPL. POL. & L. UNITOn behalf of person(s) aggrieved whose identity is  
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

532-2014-01527

Luisa Burgos,  
Investigator

(216) 522-7400

## THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

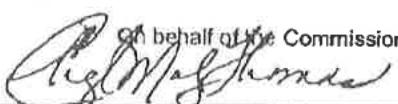
- The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.
- Your allegations did not involve a disability as defined by the Americans With Disabilities Act.
- The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.
- Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge
- The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.
- The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.
- Other (briefly state)

## - NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

**Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act:** This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

**Equal Pay Act (EPA):** EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.



On behalf of the Commission  
Cheryl Mabry-Thomas

Enclosures(s)

Cheryl Mabry-Thomas, Director  
Cleveland Field Office

OCT 30 2015

(Date Mailed)

cc:

Timothy Poodiack, Esq.  
NEW YORK CITY ADMINISTRATION FOR  
CHILDREN'S SERVICES  
110 Williams Street, 20th Floor  
New York, NY 10038

## INFORMATION RELATED TO FILING SUIT UNDER THE LAWS ENFORCED BY THE EEOC

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Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. (Usually, the appropriate State court is the general civil trial court.) Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. Filing this Notice is not enough. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Your suit may include any matter alleged in the charge or, to the extent permitted by court decisions, matters like or related to the matters alleged in the charge. Generally, suits are brought in the State where the alleged unlawful practice occurred, but in some cases can be brought where relevant employment records are kept, where the employment would have been, or where the respondent has its main office. If you have simple questions, you usually can get answers from the office of the clerk of the court where you are bringing suit, but do not expect that office to write your complaint or make legal strategy decisions for you.

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### ATTORNEY REFERRAL AND EEOC ASSISTANCE -- All Statutes:

You may contact the EEOC representative shown on your Notice if you need help in finding a lawyer or if you have any questions about your legal rights, including advice on which U.S. District Court can hear your case. If you need to inspect or obtain a copy of information in EEOC's file on the charge, please request it promptly in writing and provide your charge number (as shown on your Notice). While EEOC destroys charge files after a certain time, all charge files are kept for at least 6 months after our last action on the case. Therefore, if you file suit and want to review the charge file, please make your review request within 6 months of this Notice. (Before filing suit, any request should be made within the next 90 days.)

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